

REMARKS

Claims 20, 22-26, 28, 29, 35, 37-41, 43, 44, 50, and 52-73 are pending with Claims 20, 25, 35, 40 and 50 being independent. Claims 20, 22, 23, 25, 28, 29, 35, 40, 50, 53, 57, 60, 63 and 66 have been amended, and Claims 69-73 have been added. Support for the new claims and claim changes can be found in the original disclosure, and therefore no new matter has been added.

Applicants respectfully request favorable reconsideration and withdrawal of the rejections set forth in the Office Action dated September 2, 2008, in view of the foregoing amendments and the following remarks.

Formal Claim Objections

The Examiner objects to Claims 22, 23, 28, 53, 56, 57, 60 and 63 for minor informalities therein and makes specific suggestions for overcoming the objections.

Applicants note that the Office Action appears to contain two errors in this objection. First, the Office Action objects to Claim 28 twice for the same reason. It appears that the Office Action intends to object to Claim 29 for the reason that Claim 28 is objected to. Second, the Office Action objects to Claim 56 when it appears that the Office Action intends to object to Claim 66. Accordingly, the Office Action appears to be objecting to Claims 22, 23, 28, 29, 53, 57, 60, 63, and 66. If this assumption is incorrect, Applicants respectfully request that the Examiner indicate the claims objected to in the next official action. In addition, in response to the objections as understood by Applicants, while not conceding the propriety thereof, Applicants have amended the claims as suggested by the Examiner, thereby rendering the objections moot. Therefore, Applicants respectfully request that the objections be withdrawn.

Formal Claim Rejections

Claims 20, 25, 35, 40 and 50 have been rejected under 35 U.S.C. §112, first paragraph, because there is allegedly no support in the specification for the claimed operation of determining the kind of the feature amount in accordance with the function information received by the reception unit or step. In addition, the Office Action points to paragraphs 0190-0194 as disclosing that the feature amount is calculated based on the respective pixels of an image, not the received capability of information, nor the recited function. In addition, Claims 20, 25, 35, 40 and 50 have been rejected under 35 U.S.C. § 112, second paragraph, because in these claims 1) it is allegedly not clear whether the function information determines the extraction of the feature amount or the generation of the data file describing the extracted feature amount, and 2) it is not understood how the kind of feature amount can be determined if it is already extracted.

In response, while not conceding the propriety of the rejections, Claims 20, 25, 35, 40 and 50 have been amended to address the points made by the Examiner. Applicants submit that as amended, these claims now even more clearly satisfy 35 U.S.C. § 112, first and second paragraphs. Therefore, Applicants respectfully request that the rejections be withdrawn.

In addition, Applicants point out the following (references to paragraph numbers are to the corresponding paragraphs in the published application of this case):

- a. the printer 1000 transmits capability information to the digital camera 3012 (paragraph [0135]), which indicates its own functions (paragraph [0082]), which includes image feature amounts to be extracted from an image such as the lightness, saturation, and/or hue histogram (paragraph [0138]), and which corresponds to the claimed function information;
- b. the camera 3012, upon reception of the capability information indicating certain image correction operations, performs these image correction operations (paragraph [0191])

including extracting a feature amount, such as the histogram, from the image data in accordance with the capability information from the printer 1000; and

c. the data file that describes the extracted feature amount is determined in accordance with the capability information and transmitted to the printer 1000 ([paragraph 0196]).

Substantive Rejections

Claims 20, 22-26, 28, 29, 35, 37-41, 43, 44, 50 and 52-68 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0048534 (Tanaka et al.) in view of U.S. Patent Publication No. 2003/0084085 (Breidenbach et al.), and U.S. Patent Publication No. 2004/0201727 (Ichikawa).

In response, while not conceding the propriety of the rejection, independent Claims 20, 25, 25, 40, and 50 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 20 relates to a printing system in which an image sensing apparatus and a printing apparatus directly communicate with each other, and the printing apparatus prints an image transmitted from the image sensing apparatus.

The image sensing apparatus comprises a first reception unit configured to receive function information of the printing apparatus from the printing apparatus, an extraction unit configured to analyze image data of an image file to be printed, a generation unit configured to generate a data file which is a file independent from the image file and describes the feature amount extracted by the extraction unit, where the kind of the feature amount is determined in accordance with the function information received by the first reception unit, and a first

transmission unit configured to transmit files of the data file generated by the generation unit and the image file to the printing apparatus.

The printing apparatus comprises a second transmission unit configured to transmit the function information of the printing apparatus from the printing apparatus to the image sensing apparatus, a second reception unit configured to receive the files of the data file and the image file transmitted by the first transmission unit, a correction unit configured to correct image data of the image file received by the first reception unit on the basis of the received data file, and a printing unit configured to print an image in accordance with the image data corrected by the correction unit. In addition, the data file is transmitted from the image sensing apparatus to the printing apparatus before the image file is transmitted from the image sensing apparatus to the printing apparatus.

Claim 20 has been amended to recite that the function information describes the kind of feature amount data which the printing apparatus can use in correction processing for an image to be printed. Claim 20 has also been amended to recite that the extraction unit extracts from the image data a feature amount corresponding to the kind of feature amount data described in the function information received by the first reception unit.

In contrast, the citations to Tanaka et al., Breidenbach et al., and Ichikawa et al. are not understood to disclose or suggest a first reception unit configured to receive function information of the printing apparatus from the printing apparatus, the function information describing the kind of feature amount data which the printing apparatus can use in correction processing for an image to be printed, or an extraction unit configured to analyze the image data of an image file to be printed and extract from the image data a feature amount corresponding to the kind of feature amount data described in the function information received by the first reception unit, and a

generation unit configured to generate a data file which is a file independent from the image file, as recited by amended Claim 20.

Rather, the citation to Tanaka et al. is understood to disclose generating a print file, but the print file is understood to merely include information designating an image to be printed and print condition information. That is, this citation is understood to fail to teach or suggest analyzing image data of an image file to be printed and extract from the image data a feature amount and generate a data file independent from the image file describing the extracted feature amount, as recited by amended Claim 20. The citation to Breidenbach et al. is understood to disclose that the camera receives function information from the printer, but is understood to be silent about the kind of feature amount data which the printer can use in the correction processing for an image to be printed that is included in the function information, as recited by amended Claim 20. Therefore, this citation is also not understood to disclose or suggest extracting from the image data a feature amount corresponding to the kind of feature amount data described in the received function information, as also recited by amended Claim 20. The citation to Ichikawa et al. is understood to disclose that the printer or the camera corrects brightness, analyzes tag information, and corrects an image based on information related to image correction included in the tag information. But this citation is not understood to disclose or suggest a generation unit configured to generate a data file which is a file independent from the image file and describes the feature amount extracted from the image data by the extraction unit and corresponding to the kind of feature amount data described in function information received by the first reception unit, where the kind of the feature amount is determined in accordance with the function information received by the first reception unit and describes the kind of feature amount

data which the printing apparatus can use in correction processing for an image to be printed, as recited by amended Claim 20.

Since the citations to Tanaka et al., Breidenbach et al., and Ichikawa et al. are not understood to disclose or suggest at least one feature of amended Claim 20, the Office is not understood to have yet established a *prima facie* case of obviousness against amended Claim 20. Therefore, Applicants respectfully request that the rejection of Claim 20 be withdrawn. And because independent Claims 25, 35, 40 and 50 have been amended in a similar manner, they are submitted to be allowable for similar reasons. Therefore, Applicants respectfully request that the rejection of Claims 25, 35, 40 and 50 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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